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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/595,208	01/31/2007	Folke Axelsson	73023-83282	4688
26288	7590	06/03/2008	EXAMINER	
ALBIHNS STOCKHOLM AB BOX 5581, LINNEGATAN 2 SE-114 85 STOCKHOLM; SWEDEN STOCKHOLM, SWEDEN			DIAZ, JOSE	
			ART UNIT	PAPER NUMBER
			2879	
			MAIL DATE	DELIVERY MODE
			06/03/2008	PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/595,208	AXELSSON, FOLKE	
	<b>Examiner</b>	<b>Art Unit</b>	
	JOSE M. DIAZ	2879	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on 31 January 2007.  
 2a) This action is FINAL.                    2b) This action is non-final.  
 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 1-4 is/are pending in the application.  
 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
 5) Claim(s) \_\_\_\_\_ is/are allowed.  
 6) Claim(s) 1-4 is/are rejected.  
 7) Claim(s) \_\_\_\_\_ is/are objected to.  
 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.  
 10) The drawing(s) filed on 31 January 2007 is/are: a) accepted or b) objected to by the Examiner.  
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
 a) All    b) Some \* c) None of:  
 1. Certified copies of the priority documents have been received.  
 2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)          | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ .                                    |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____.   | 6) <input type="checkbox"/> Other: _____ .                        |

## DETAILED ACTION

### ***Claim Rejections - 35 USC § 102***

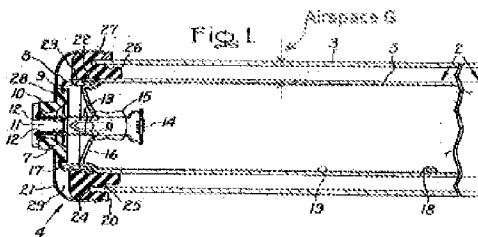
The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-4 are rejected under 35 U.S.C. 102(b) as being anticipated by **Hammer (3453470)**.

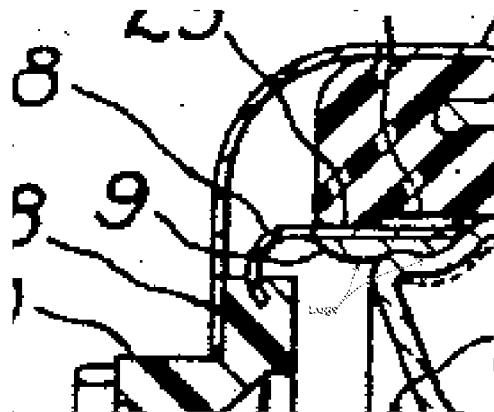
Regarding **claim 1**, Hammer clearly shows and discloses a fluorescent lamp, which comprises an elongated main tube (5), a fixing device (4) at each end of the fluorescent lamp (1) for fixing the fluorescent lamp (1) in a light fitting (it is inherent that there will be a fitting to accommodate the lamp), two electrodes (12) provided with emitter material placed inside the main tube (5), a heat-insulating outer tube (3) that surrounds the main tube (5) and creates an airspace between the main tube (5) and the outer tube (3), each fixing device (4) comprising an end cap (21) with a radial part (27), that delimits an outer end plane of the fluorescent lamp (1), and with an axial peripheral part (20), characterized in that the axial peripheral part (20) of the end cap (21) is connected to an end of the outer tube (3) and in that an axial spacer (26, col. 3, line 47) with low heat conductivity has a first end part that is connected to an end of the main tube (5) and a second end part (7) that adjoins the outer end plane and keeps the main tube (5) separate from the end cap (21) (fig. 1, col. 2, lines 50-53 and 71 through col. 3, line 7, col. 3, lines 12, 32-55).



Regarding **claim 2**, Hammer clearly shows and discloses that the second end part (7) of the spacer (26) has one or several radially-projecting guide elements (8) in order to make easier the assembly of the outer tube (3) and the end cap (21) when assembling the fluorescent lamp (1) (fig. 1, col. 2, lines 50-53 and 71 through col. 3, line 4).

Regarding **claim 3**, Hammer clearly shows and discloses that the guide element (8) is in the shape of a disk-shaped radial flange (figs. 1-2).

Regarding **claim 4**, Hammer clearly shows and discloses that the guide element (8) is in the shape of a plurality of radial lugs (9) distributed around the circumference (figs. 1 & 2).



***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to JOSE M. DIAZ whose telephone number is (571)272-9822. The examiner can normally be reached on 7:00 - 5:00 EST Monday-Thursday; Fridays off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nimesh Patel can be reached on 571-272-2457. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/José M. Diaz/  
Examiner, Art Unit 2879

/Mariceli Santiago/  
Primary Examiner, Art Unit 2879